

AN ACT

ENTITLED, An Act to revise the time required for removal of an ice house from public waters of the state and to revise the time that failure to remove the ice house is deemed abandonment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 41-12-3 be amended to read as follows:

41-12-3. It is a Class 2 misdemeanor for any person to set, place, erect, or cause to be set, placed, or erected, or to use any fishing house, fishing shanty, or other structure or shelter at any time upon the ice of any of the public waters of the state unless the name and address of the owner is plainly marked on its exterior in letters at least two inches in height, and the door is constructed to permit entry at all times to the structure, except when unoccupied and locked from the outside. Any portable shelter which is removed from the ice daily is exempt from the marking requirements. A portable shelter may be placed upon the ice of any public waters of the state at any time if the shelter is removed daily. The Game, Fish and Parks Commission shall promulgate rules pursuant to chapter 1-26 to establish dates when any structure not removed daily shall be removed from the public waters of the state.

Section 2. That § 41-15-16.1 be amended to read as follows:

41-15-16.1. Any fish house, enclosure, or other sheltering structure left upon the ice of any public waters of this state for any twenty-four hour period of time after the removal date established by rules of the Game, Fish and Parks Commission is deemed abandoned property and may be seized, taken, or destroyed by the Department of Game, Fish and Parks unless prior approval is received from an authorized representative of the department granting a delay in removal. No liability is incurred by any employee or agent of the department acting pursuant to this section.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1063

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1063
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State